

PLANNING COMMISSION MINUTES

September 6, 1994

Present: Chairman Mark Green, Don Milligan, Lois Williams, Dean Jolley, Elaine McKay, Ken Cutler; Barbara Holt, City Council Representative; Russell Mahan, City Attorney; Blaine Gehring, Planning & Redevelopment Director; Jack P. Balling, City Engineer; Nancy T. Lawrence, Recording Secretary

Excused: Dick Drescher, Mike Holmes

The minutes of August 16, 1994 were unanimously approved as written on a motion made by Don Milligan and seconded by Councilwoman Holt.

Subdivisions

9-6-64.3 Preliminary and final approval of the Lakes of Country Springs PUD at 1800 North 200 West, Ron Marshall, developer.

Mr. Gehring reviewed that conditional approval was granted to this development in the August 16, 1994 meeting. The subdivision has been reviewed by staff and recommended for preliminary and final approval subject to the following conditions:

1. Provide a blanket easement to the City for installation of utilities to be held until the P.U.D. plat is recorded.
2. Post a bond for all utilities and site improvements in the amount estimated by the City Engineer.
3. Pay all required subdivision fees.
4. Complete all corrections as outlined in the engineering review letter.
5. Provide all easements as required by the City for utility service.
6. All buildings to have a minimum setback of 20 feet from the back of the curb to the building and from the buildings to the back property lines.
7. A wrought iron fence along the 200 West Street frontage and a chain link fence around the perimeter of the development.
8. Compliance with all other City ordinances.

In response to a question from the Commission, Mr. Marshall explained the rationale for the two mediums of fencing material.

Lois Williams made a motion to recommend to City Council preliminary and final approval to Lakes of Country Springs PUD subject to the eight recommendations by staff; seconded by Don Milligan; unanimously approved.

Site Plans

9-6-94.4 Preliminary and Final site Plan Approval for Lakeview Animal Hospital at 2025 South Orchard Drive.

Mr. Gehring acknowledged the presence of the developers (Dr. Clark and Dr. Gubler) and stated that the subject site plan has been reviewed by staff and it is recommended that preliminary and final approval be granted, subject to the following conditions:

1. Provide a 7-foot wide utility easement along the frontage on both streets.
2. Provide other easements as required by utility companies.
3. Payment of storm water detention fee for 0.79 acres = \$1,659.00.
4. The sign is very close to the corner and it is recommended that it be moved at least 10 feet north and 5 feet east to avoid sight conflict with the traffic.
5. The water service line needs to be sized for the building demands.
6. Completion of final drawings as per the building codes, including structural plans, calculations and stamps.
7. Final review by the building inspectors.
8. Payment of fees and posting of bond as required by ordinance.

Discussion followed regarding item No. 4 above. It was noted that the sign requirements will be approved at the time the sign permit is issued; however, this item alerts the developer of the need to change the proposed location of the sign.

Councilwoman Holt made a motion to recommend to the City Council preliminary and final site plan approval of Lakeview Animal Hospital as presented by staff. Elaine McKay seconded the motion and voting was unanimous.

Zoning ordinance Amendments

9-6-94.5 Consider Amending the C-M Zone to Allow Motels and Hotels as a Conditional Use.

Mr. Gehring reported that he has had a request from Mr. Brent Epperson about the possibility of constructing a motel on his property around Lee's Cafe. A problem exists in that land uses No. 1511 (hotels) and 1512 (motels) are not listed as a permitted or conditional use in the Heavy Commercial Zone. These uses were inadvertently left out when the ordinance was revised and it is staff recommendation that the ordinance be amended to include them.

Discussion followed regarding areas in the City where hotels and motels might be located.

Elaine McKay made a motion that the Planning Commission recommend to the City Council that Section 10-14-103 of the ordinance be amended by adding hotels (Use No. 1511) and motels (Use No. 1512) to the list of Conditional Uses in the C-H zone. The motion was seconded by Don Milligan and it carried unanimously.

9-6-94.6 Consider Changes to Sections of the Zoning Ordinance Dealing with Installation of Bite Improvements

Mr. Gehring reviewed that this matter was discussed by the Planning Commission in its meeting on August 2, 1994 and it was suggested that the staff make additional changes to provide clarity and further action by the City in case the work is not completed as agreed upon by the City and the Developer. He reviewed the proposed changes and noted that this matter pertains to all commercial, institutional, industrial, and residential development except single family subdivisions.

Councilwoman Holt suggested that providing for a 1 percent per day penalty loss of the bond by the developer in the event the improvements are not installed by the agreed date would only result in developers taking additional time to complete site improvements. She suggested that if the improvements were not constructed by the date agreed upon, at that point legal action should be taken. She noted that the issue is not one of generating revenue, but encouraging completion of the site improvements.

Following discussion, it was agreed by the Commission that if the improvements are not completed by the agreed upon time, the bond would be forfeited to the City and the City will have the right to take legal action to compel completion of such improvements.

Ken Cutler motioned that a recommendation be made to the City Council to adopt a new Section 14-2-308, Installation of Improvements, and amend Section 14-16-105, Installation of Improvements, as presented by staff. Don Milligan seconded the motion which was favored unanimously.

9-C-94.7 Consider Amending Section 14-4-107, 14-5-106 and 14-6-106 relating to Lot Frontage Requirements in Residential Zone.

Mr. Gehring explained that as the residential zones have been reviewed recently, it has become apparent that the current requirement for street frontage is very restrictive and almost punitive at times. Based on calculations by the City Engineer, proposed changes are being

recommended. He reviewed those changes which will allow for flexibility in the street frontage while maintaining the lot width requirement and correct the mathematical problem for design. The recommendation is for 50 ft. frontages in R-1 Zones and 45 ft. frontages in R-2 and R-3 zones. It is only for residential zones because other street frontage requirements in commercial zones are presently adequate and do not pose the same problems.

Following discussion, Ken Cutler motioned that staff recommendations be favorably recommended to the City Council. Mr. Jolley seconded the motion and voting was unanimous.

9-6-94.8 Consider Amending Section 14-13-108 Requirements for Building in the Foothill overlay zone.

Mr. Gehring explained that in the recent process of updating the Zoning Ordinance, the requirement which allows for proper drainage away from a house next to a steep slope took on a different meaning and is now in conflict with the Uniform building Code. The proposed change is a housekeeping item necessary to correct this conflict and bring the Uniform Building Code and Zoning Ordinance into conformity.

He reviewed the proposed amendment, following which Don Milligan motioned that a recommendation be made to the City Council to approve the amendment. Elaine McKay seconded the motion and voting was unanimous.

Miscellaneous

Mr. Gehring reported that Shirley Chevalier, secretary for the Planning/Redevelopment office, has tendered her resignation, effective September 30, 1994. She will be moving back to the midwest where her family resides. Appreciation was expressed for her excellent performance and it was noted that she will be greatly missed.

Mr. Gehring noted that an allocation is included in the budget to 2 cover the cost of registration for several Commissioners to attend the Conference of the Utah Chapter of the American Planning Association. This fall the Conference will be held at Sherwood Hills. He requested that anyone interested in attending contact him.

The meeting adjourned at 8:00 p.m.